

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Board of Patent Appeals and Interferences**

Appellant:
Beka SOLOMON

Application No. 09/441,140
Filing Date: November 16, 1999
Appeal No: 2011-009879

Confirmation No: 3910
Attorney Docket No: SOLOMON1REI

REQUEST FOR CONSOLIDATION OF ORAL HEARINGS

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

Sir:

On August 2, 2011, a Notice of Hearing was issued in this case, stating that an Oral Hearing was scheduled for September 13, 2011. On August 22, 2011, appellants filed a communication requesting a postponement of the hearing to allow consolidation of the hearings in two closely related appeals. It was pointed out that the present application is an application for reissue of U.S. Patent 5,688,651, and that a divisional reissue application, application no. 11/358,951, which is a divisional of the application presently on appeal, had also been filed and was also in the process of appeal. In view of the fact that many of the issues in the present appeal and in the appeal of the divisional application are closely

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related, it was requested that the hearing scheduled for this case be postponed and reset some time shortly after the appeal in the divisional application 11/358,951 becomes docketed at the Board of Patent Appeals and Interferences, so that the Board can consolidate the oral hearings in both of the related reissue applications.

By Order of September 1, 2011, appellant's request was granted and the hearing was ordered to be rescheduled, with the understanding that no further request for postponement would be permitted.

Appellant has just received notification that the appeal in the divisional application 11/358,951 has now been docketed at the Board of Patent Appeals and Interferences as Appeal No. 2012-002100. Accordingly, both appeals are now within the jurisdiction of the Board, oral hearing has been requested in both, and, as both are reissue applications, expedited hearing is appropriate.

Accordingly, appellant renews its request that the hearings in these two cases be consolidated, or at least heard by the same panel on the same day.

In view of the fact that no further postponements will be permitted, it is respectfully requested that the Board take into consideration the following travel schedule for the undersigned attorney in charge of both appeals. The

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undersigned will be out of town on every weekday from November 22 to December 6, January 6-9, and January 16-31. It is respectfully requested that the rescheduled, and, if this request is granted, consolidated oral hearings be scheduled for a date other than those listed above.

Respectfully submitted,

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